

## Article - Natural Resources

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§4–1039.

(a) The Department may open or close any area in which the catching of soft-shell clams by hydraulic clam dredge is not prohibited under the provisions of this subtitle if: (1) in its opinion other natural resources will not be significantly damaged; (2) the area to be opened is clearly defined and plainly marked; and (3) the area is patrolled by Natural Resources Police vessels during dredging operations.

(b) In any area where hydraulic clam dredging is prohibited under § 4–1038(a) of this subtitle the Department may open selected areas if the areas opened are patrolled by Natural Resources Police vessels during dredging operations.

(c) Before opening or closing any area the Department shall publish notice in at least one newspaper of general circulation in the State, and in at least one newspaper of general circulation in each county. Any closing or opening shall be effective no less than 24 hours from publication of notice.

(d) The provisions of this section do not apply to Charles and Wicomico counties, or the Atlantic Coastal Bays, as defined in § 8–1802 of this article.

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